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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

*In re:*

SCOTT P. COWAN,

DEBTOR.

Chapter 11

Case No. 16-14758

Judge: Hon. Stacey L. Meisel

Hearing Date: Nov 1, 2016 at 2:30 p.m.

***Oral Argument Not Requested***

**CERTIFICATION OF SCOTT COWAN IN OPPOSITION TO THE  
APPOINTMENT OF A TRUSTEE AND OPPOSITION TO  
CONVERSION OF THE CASE TO CHAPTER 7**

I, Scott Cowan, of full age, certify as follows:

1. I am the debtor referred in the above captioned Chapter 11 proceeding.
2. I make this certification in opposition to the appointment of a trustee and conversion of this case for the reasons stated below.
3. The US Trustee's statement in support of the appointment of a trustee or conversion relies largely on transactions concerning Price Home Group ("PHG"). PHG is a non-operating company which is owned by myself and a partner. At the Initial Debtor Interview I was instructed to report on the financial affairs of PHG as well as my personal affairs. I have not earned any income from PHG since before the filing of this case.
4. The UST's statement refers to a disbursement of \$6,147 from PRIF II ("PRIF II"). PRIF is a real estate investment fund which was disclosed on my petition and discussed at the creditors

meeting. I have no control over disbursements from the fund and there is no market to divest my interest in the fund. This was discussed at the creditors meeting and no issue was raised. The \$6,147 I received from the fund was deposited into my DIP account.

5. The \$5,000 referred to in the certification in support of a trustee refers to a sale of assets. The assets sold were business assets reflected on the business report. PHG sold a printer and then deposited the sale proceed in its account. There was nothing nefarious about this event.

6. The nonsufficient funds transactions referred to in the certification concern auto withdrawals from the business account. I have not been able to stop some creditors from debiting the PHG account. I reiterate, this has nothing to do with the bankruptcy estate of the DIP account. I am merely reporting the business financial affairs for the defunct PHG on my MOR's as instructed by the UST.

7. I did request that the firm Dunn Wright Estate Services assist with what I would characterize as a yard sale of some personal property owned by my wife and I. We were selling our vacation home and didn't the purchasers required that the personal property in the home be removed. The total amount realized from the sale was an estimated \$3,000. I have requested an itemization of the assets sold from Dunn Wright.

8. The business check registers that the UST has been provided and I have requested the company's book keeper to provide a backup copy of PHG's accounting to the UST along with bank statement that have not been produced.

9. I have produced all the bank statement in my possession. It is accurate that I did not keep a checking account register for my personal account but I am able to identify all the income I have earned in the last two years and requested copies of checks from my bank. Moreover, all my

income and expenses have gone through one bank account for the last several years. There is nothing that is unusual about my finances or that I cannot explain to the UST.

10. The monthly operating reports that were withdrawn have been re-filed without any revisions.

11. I respectfully request that the Court not appoint a trustee at this time but set a later date for further consideration once the UST has reviewed additional documents submitted and meets with me for further clarification

I hereby certify that the foregoing statements made by me are true and that if any of these statements are willfully false that I am subject to punishment.

Dated: October 28, 2016

/s/ Scott Cowan  
Scott Cowan